



**The Clatterbridge  
Cancer Centre**  
NHS Foundation Trust

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Date: 18 September 2019

**Re: Freedom of Information Request**  
**Ref: 231 - 2019**

Thank you for your email dated the 20<sup>th</sup> August 2019, requesting information regarding the application of NHS disciplinary procedures for doctors under the Maintaining High Professional Standards (MHPS) framework.

The information that you require is as follows:

**Background**

**I am conducting research on the application of NHS disciplinary procedures for doctors under the Maintaining High Professional Standards (MHPS) framework. The GMC produces annual reports of its statistics regarding complaints, investigations and their outcomes, but no such national data exists for the processes carried out within employer setups. I am therefore approaching each NHS employer in England to request statistics about concerns and investigations under MHPS.**

**Based on the NHS England National Report to Ministers on the Responsible Officer Regulations and Medical Revalidation 2017/18, more than 99% of NHS sector employers in England provide a report to their board detailing the number and type of concerns (under MHPS) and their outcome (see Figure 23 on page 46 in Section 3 of the linked report).**

**<https://www.england.nhs.uk/wp-content/uploads/2018/10/report-to-ministers-responsible-officer-regulations-revalidation-1718.pdf>. My request relates to data that should be included in your Trust's report to your board for the year 2017/18.**

## The request

Please provide the following information about the disciplinary cases under MHPS in your organisation for the financial year 2017/18:

1. The number of permanent and locum doctors employed by the Trust (Headcount).

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2. The number of concerns raised under MHPS by type of concern (the following is a suggested categorisation of the types of concern).

Please allocate the cases to the most relevant type of concern.

Please note in accordance with the Data Protection Act 2018 our Trust is unable to release all of the information requested. The Clatterbridge Cancer Centre NHS Foundation Trust is a relatively small Trust and by providing this level of detail where the number of individuals is less than or equal to five increases any 'potential' risk of this data becoming identifiable information and thereby contravening one or more of the Data Protection Principles by releasing it into the public domain. Confidentiality is expected in such matters. This information is therefore exempt under Section 40: Personal Information, of the Freedom of Information Act 2000. The areas where this exemption has been applied are shown below:

Type of concern	No. of concerns raised	No. of formal investigations
Doctor's health	0	0
Clinical competence	Exempt under S.40 Personal Information	Exempt under S.40 Personal Information
Conduct	Exempt under S.40 Personal Information	Exempt under S.40 Personal Information
Professional performance	0	0
Criminality	0	0

**3. The outcome of formal investigations. Please provide the data on the outcome of formal investigations according to the following table:**

Type of concern	No further action	Advice or warning	Referral to the GMC	Suspension	Dismissal	Resignation within 6 months of concern raised
Doctor's health	0	0	0	0	0	0
Clinical competence	0	0	0	0	0	0
Conduct	Exempt under S.40 Personal Information	0	0	Exempt under S.40 Personal Information		
Professional performance	0	0	0	0	0	0
Criminality	0 0	0 0	0 0	0 0	0 0	0 0

**4. If the information requested in 2. and 3. is set out in the report referred to in the second paragraph of the Background above, please just send me a copy of that report instead.**

**Not Applicable, see answers to Questions 2 & 3 above**

**5. Please send me your Trust's Disciplinary policy for dealing with concerns raised about doctors, the staff code of conduct, and the number of staff formally trained to handle concerns under MHPS.**

**Trust MHPS policy and Disciplinary policy are available upon request.**

**There are 6 trained investigators to handle concerns under MHPS.**

Should you require any further information please do not hesitate to contact me on the email address provided below.

Please remember to quote the reference number above in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for this to be investigated internally.

If you are dissatisfied with the information you have received, you have the right to ask for an internal review.

Both processes will be handled in accordance with our Trust's Freedom of Information Policy and the Freedom of Information Act 2000.

Internal investigation and internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: Freedom of Information Review, The Clatterbridge Cancer Centre NHS Foundation Trust, Clatterbridge Road, Bebington, Wirral, CH63 4JY

If you are not satisfied with the outcome of the internal investigation/review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.